

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

UNITED STATES OF AMERICA

§

v.

§

ABIGAIL RUBIO

§

CRIMINAL NO. 5:23-cr-649-01

FACTUAL STATEMENT IN SUPPORT OF PLEA AGREEMENT

The United States of America, by and through ALAMDAR S. HAMDANI, United States Attorney for the Southern District of Texas and Steven Chamberlin, Assistant United States Attorney, and the defendant, **ABIGAIL RUBIO** and the defendant's counsel, hereby stipulate as follows:

I.

If this case proceeded to trial, the United States of America would prove each element of the offense beyond a reasonable doubt. The following facts, among others, would be offered to establish the Defendant's guilt:

II.

On July 4, 2022, Mexican authorities recovered an AR-15 rifle with an Aero Precision X-15 lower receiver with the Serial Number X412600. It was determined the AR-15 rifle was originally purchased at an FFL in Laredo, Texas, on April 19, 2022. ATF agents determined the purchaser was Abigail Rubio.

On April 8, 2023, Mexican authorities recovered a Taurus Model G2C, 9mm pistol bearing Serial Number TMU79373. It was determined the firearm was originally purchased from an FFL in Laredo, Texas, on March 4, 2020. ATF agents determined the purchaser was Abigail Rubio. From social media applications and department resources the ATF was able to determine that

Abigail Rubio was living with Alexis Aguina-Ramos in Laredo, Texas. ATF was able to determine that Alexis Aguina-Ramos was an illegal alien who was unlawfully present in the United States. On May 3, 2023, Laredo PD stopped Alexis Aguina-Ramos for a traffic violation. During the contact, Laredo PD recovered a Glock 43 magazine and 5 rounds of 9mm ammunition from Alexis Aguina-Ramos's bag.

LPD contacted Abigail Rubio and asked to speak with her at the station. Abigail Rubio arrived at the station and post Miranda waiver admitted purchasing four firearms. An Aero Precision X-15 lower receiver with the Serial Number X412600 on April 19, 2022, Taurus Model G2C, 9mm pistol bearing Serial Number TMU79373, on March 4, 2020, a HS Produkt Model Hellcat, 9mm pistol bearing Serial Number BY576123 on January 27, 2021, and a Glock Model 43, 9mm pistol bearing Serial Number AFRP269 on June 28, 2021. All purchases were from FFLs in Laredo, Texas.

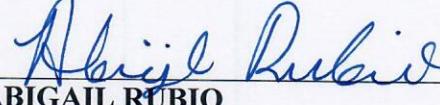
A search warrant was obtained for Abigail Rubio's residence in Laredo, Texas, and a Glock Model 43, 9mm pistol bearing Serial Number AFRP269, was located in the bedroom shared by Abigail Rubio and Alexis Aguina-Ramos. ATF determined the firearms and ammunition were manufactured outside of Texas.

Abigail Rubio admitted purchasing the Aero Precision X-15 lower receiver was for her boyfriend, Alexis Aguina-Ramos. Abigail Rubio knew Alexis Aguina-Ramos wanted to build an AR-15 and knew that Alexis Aguina-Ramos was an illegal alien unlawfully present in the United States. Abigail Rubio stated she understood the Firearm Transaction Record (Form 4473) when she purchased each of the firearms, she filled out the forms, and signed them. Abigail Rubio stated that both she and Alexis Aguina-Ramos fired the Glock 43 on January 1, 2023.

Alexis Aguina-Ramos admitted post Miranda waiver to discharging the Glock 43 on New Year's Day and that his fingerprints would be found on the gun. Alexis Aguina-Ramos also admitted to selling the Aero Precision X-15 lower receiver with the Serial Number X412600 to someone.

III.

Defendant, **ABIGAIL RUBIO**, hereby confesses and judicially admits that on **April 19, 2022**, knowingly made a false and fictitious oral and written statement to Kirkpatrick Guns & Ammo, which statement was intended and likely to deceive Kirkpatrick Guns & Ammo, as to a fact material to the lawfulness of such acquisition of the said firearms to the Defendants under Chapter 44 of Title 18, in that **ABIGAIL RUBIO** represented on a ATF Form 4473 that she was the actual buyer of the firearms listed on the Form 4473, when in fact as **ABIGAIL RUBIO** knew, she was not the actual buyer of the firearms. In violation of Title 18, United States Code, Sections 922(a)(6).

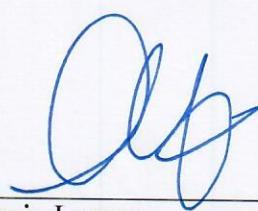

ABIGAIL RUBIO
Defendant

APPROVED:

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